

PLANNING COMMITTEE

28th July 2022

Present: Councillor Chris Mitchell in the Chair
Councillors Agar (Vice-Chair), A. Amos, Barnes, Bisset, Cleary, Denham (in place of Councillor Desayrah), S. Ditta, Mrs L. Hodgson (in place of Councillor Roberts) and Lewing

Apologies: Councillors Allcott, Desayrah and Roberts

20 Declarations of Interest

The following declarations of interest were made:

Application 22/00159/FUL – Perdiswell House, Droitwich Road
(Minute No. 26)

Councillors Amos and Bisset – Both had received email correspondence from the objector who had registered to speak on the item, neither had expressed an opinion. Both elected to speak and vote on the item.

21 Minutes of Previous Planning Committee

RESOLVED: That the minutes of the meeting held on 23rd June 2022 be approved as a correct record and signed by the Vice Chair.

22 Minutes of Previous Conservation Advisory Panel

RESOLVED: That the minutes of the Conservation Advisory Panel be received.

23 Site Visits

There were no site visits.

24 Public Participation

None.

25 Public Representation

Those representations made are recorded at the minute to which they relate.

26 Application 22/00159/FUL - Perdiswell House, Droitwich Road

Introduction

The Committee considered an application for the demolition of the Perdiswell Harvester Restaurant and redevelopment through 78-bedroom care home, with amenity gardens, boundary treatments, car parking, revised access from Droitwich Road and servicing at Perdiswell House, Droitwich Road.

Reason Why Being Considered by Planning Committee

The application had been referred to the Planning Committee in accordance with the adopted Scheme of Delegation.

Report/Background/Late Papers

The report set out the background to the proposal, the site and surrounding area, the proposal itself, relevant policies, planning history and representation and consultations where applicable. The draft Heads of Terms for a Section 106 Agreement were attached as Appendix 1 to the report.

The Committee's attention was drawn to the late papers which related to the following:

- Comments received from Councillor Allcott, local Ward Member and the Officer response to those comments, which resulted in no change to the recommendation by Officers; and
- Resubmission of resident's objections by the objector who had registered to speak on the item. The Officer response was that these objections had been considered as part of the main report. There was also a late paper submitted by the objector showing the proximity of Fernhill House Care Home, North Worcester Primary Academy and the site of the new Belmont Care Home with the site of the new Lidl on part of the Metal Castings Site and a further late paper relating to the proposed site plan indicating the trees to be felled. These resulted in no change to the recommendation by Officers.

Officer Presentation

The information was presented as set out by the Corporate Director – Planning and Governance, in conjunction with a powerpoint presentation for the item.

Public Representations

The following people had registered to speak on the application:

Julia Kimberley (Objector) and Sara Jones (Agent – Claremont Planning Consultancy Ltd, for the Applicant)

Key Points of Debate

- The objector, in addressing the Committee, provided background to the site and the importance of the building. She stated that she could see no reference to a bat survey being carried out or no reference to dealing with asbestos during the demolition of the building. In response to this the Interim Head of Development Management confirmed that an Ecological Survey had been carried out which included bats and birds and that asbestos matters would be dealt with under the Health and Safety Executive and relevant building regulations.
- The objector also stated that there was already an over-supply of care homes in the area, and the one opposite was not yet to full capacity.

In response to this the Chair stated that the Council has a commitment and legal obligation to provide housing through the South Worcestershire Development Plan to ensure there is an adequate supply of land for housing and meeting the need for older person accommodation. There were no questions for the objector from Committee Members.

- The agent for the applicant, representing the MACC Group, provided background to the site, the proposed development and the care home provider. It was highlighted that the site is not in a conservation area and the building is not listed or locally listed. The agent stated that when the proposals were evolving the applicant did look at retaining Perdiswell House but struggled with the building regulations. The proposal is a modern building but felt that the previous building (Harvester restaurant) had been extended many times so it had lost its heritage importance.
- The agent responded to questions from Committee Members, particularly around the type of resident who would be living in the care home and what mode of transport they would be using, if any. Particular emphasis was put on mobility scooters and their storage, which the agent agreed could be reviewed together with the cycle parking standards. The County Council Highways representative stated that there were currently no standards for mobility scooters/trikes but would carry out some research. Members agreed that this was an important policy issue to look at.
- Whilst appreciating that the retention of Perdiswell House was not feasible, Members did ask if the façade of the building could be retained, the agent stated that the architects had not included this and was not for consideration. Members did however ask for something more appealing and more imaginative than what was currently proposed.
- Members did raise the issue of a lack of green space, what was being proposed was a very small garden and lots of parking space. The agent commented that the applicant was aware of the importance of green space, although it was considered by some Members that this was not reflected in the design. The Chair did comment that there were no policy requirements on outdoor space, although some Members commented that a smaller building would create more space, the proposed development was considered to be large.
- Reference was made to the heritage statement and the building which is not listed and not treated in the same way, but some Members agreed that it did have value and was suitable for architectural salvage, so why not save it. The agent stated that the applicant had worked with the Council's Conservation Officer and employed a Heritage Consultant and did look at whether the building should be listed, it was felt that they had met requirements and had consulted appropriately.
- The Chair asked for clarification on certain key points that had been raised during the course of the debate, namely parking standards, tree removal/retention, affordable housing and heritage, which officers responded to.

- It was asked what discussions had been held with health authorities on the proposal, the Interim Head of Development Management stated that they had been contacted but had not responded.
- The Interim Head of Development Management responded to questions from Committee Members on carbon strategy, EV charging points, bus routes, design of the building and further clarification on condition 4 and also the possibility of some public art.
- Reference was made to a further bat survey as referred to by the Landscape and Biodiversity Adviser and should this be conditioned. The Interim Head of Development Management agreed to add this.
- Members also asked if a condition could be added to represent the site/heritage, for example an information board. The Interim Head of Development Management referred to condition 4 and would expect that to be included in the details for this condition. Clarification was provided on the stages of the process and that the wording could be amended in the condition to reflect an historical and cultural interest.
- The Chair, following debate, asked that the Committee Members focus on material planning decisions when coming to a decision on the application and if minded to refuse need to have reasons for doing so.

A proposal to approve the application had been made and this was seconded, subject to the enhancement of condition 4 and the additional condition for a further bat survey. There being no further points made the Chair requested the voting of each Member of the Committee who were eligible to vote. Following the recording of the votes the proposal to approve was lost as follows:

For – 4
 Against – 5
 Abstentions – 0

The Chair asked the Committee for their reasons for refusal which were identified as overdevelopment of site and inadequate usable amenity space.

The Interim Head of Development Management read out the reasons for refusal in further detail and also requested a second reason for refusal to secure the matters safeguarded by a Section 106 Agreement. The Legal Team Manager informed Committee Members that if they wish to refuse on these grounds then a proposer and seconder was required.

A proposal to refuse the application had been made and this was seconded. There being no further points made the Chair requested the voting of each Member of the Committee who were eligible to vote. Following the recording of the votes the proposal was refused for the reasons given as follows:

For – 5
 Against – 3
 Abstentions - 1

Contrary to Officer recommendation it was

RESOLVED: That the Committee

- 1. refuse planning permission on the grounds of overdevelopment due inadequate amenity space;**
- 2. in the absence of a completed Section 106 the proposals did not secure contributions towards elderly and disabled transport, necessary to mitigate the impact of the development; and**
- 3. delegates authority to the Corporate Director – Planning and Governance, subject to consultation with the Chair and Vice Chair of the Planning Committee, to confirm the final wording of the above grounds and issue the Decision Notice.**

27 Application 22/00049/FUL - Victoria House, 63-66 Foregate Street**Introduction**

The Committee considered an application for change of use from office (Use Class E) at first, second and third levels to residential C3 in the form of 14 self-contained residential apartments and associated works at Victoria House, 63-66 Foregate Street.

Reason Why Being Considered by Planning Committee

The application had been referred to Planning Committee as it is outside the scope of the adopted Scheme of Delegation as it constitutes major development.

Report/Background/Late Papers

The report set out the background to the proposal, the site and surrounding area, the proposal itself, relevant policies, planning history and representation and consultations where applicable. The draft Heads of Terms for a Section 106 Agreement were attached as Appendix 1 to the report.

The Committee's attention was drawn to the late paper which related to the amendment of the description of the development which reflected the changes to the use class order and confirmed by the Agent, as follows:

Change of use from office B2 at first, second and third floor levels to residential C3 in the form of 14 self-contained residential apartments and associated works.

To the following:

Change of use from office (Use Class E) at first, second and third floor levels to residential C3 in the form of 14 self-contained residential apartments and associated works.

Officer Presentation

The information was presented as set out by the Corporate Director – Planning and Governance, in conjunction with a powerpoint presentation for the item.

The Planning Officer informed Committee Members that this item would be considered in conjunction with Agenda Item 9 related to Listed Building consent.

Public Representations

There had been no one registered to speak on the application.

Key Points of Debate

- Some Members expressed concerns over the number of vacant properties being converted to residential property in the city centre and that the approval of this proposal would set a precedent. The comments of the Economic Development and Regeneration Team of the City Council were highlighted on page 20 of the report in relation to the loss of this accommodation and the evidence to justify this.
- It was also commented that the apartment sizes were small and that there was no amenity space. It was considered by some that developments like this and any future ones are not sustainable in terms of doctors, hospitals, schools and parking.
- The Interim Head of Development Management in response stated that the apartments were above national space standards and that the Government encouraged local authorities to convert vacant office space to residential.
- When asked what proportion of the proposed accommodation was affordable, the Interim Head of Development Management stated that the proposals include the conversion of an existing building and due to the application of Vacant Building Credit there is no requirement for an affordable housing contribution to be provided.
- Reference was made to paragraph 7.39 of the report relating to the listed building in terms of renewable energy, the Planning Officer confirmed that the Energy Statement advises that it is not possible to achieve a minimum of 10% reduction in carbon emissions below the normal requirement set by the building regulations, therefore there is no requirement.
- Comments were made on the mechanical ventilation proposed to reduce air quality and that as these can be noisy, these would be turned off in bedrooms and this was already an area of known poor air quality.
- It was noted that work had already started in the courtyard area and it was disappointing that two cherry trees in this area had been removed. The Interim Head of Development Management noted these comments and would follow up.
- Committee Members noted a condition had been recommended to ensure that full details of the proposed materials for the replacement windows were provided to ensure that they were of a suitable design for the building's listed status.
- Although other Members had commented on the size of the apartments, the use of upper floors for residential was deemed appropriate.

It was also commented that the proposal was better than some and that the applicant had communicated with officers on matters of concern.

- In response to a question on the figures in the table at paragraph 3.2 of the report relating to details of the proposed apartments, the Interim Head of Development Management clarified the national space standards for Committee Members.
- The Chair commented that Committee Members needed to be mindful that some people had different requirements and expectations and were content to live in the city centre.

A proposal to approve the application had been made and this was seconded. There being no further points made the Chair requested the voting of each Member of the Committee who were eligible to vote. Following the recording of the votes the proposal to approve was agreed as follows:

For – 8
Against – 1
Abstentions – 0

Councillor Amos asked for his vote against the proposal to be recorded in the minutes.

RESOLVED: That the Committee grant planning permission subject to:

- 1. the applicant and all parties with an interest in the land entering into Section106 Agreement in accordance with the agreed Heads of Terms no later than six months from the date of this resolution;**
- 2. the recommended conditions set out in section 9 of the report; and**
- 3. the grant of a satisfactory Listed Building consent.**

28 Application 22/00050/LB - Victoria House, 63-66 Foregate Street

Introduction

The Committee considered an application for Listed Building consent relating to the change of use from office (Use Class E) at first, second and third levels to residential C3 in the form of 14 self-contained residential apartments and associated works at Victoria House, 63-66 Foregate Street.

Reason Why Being Considered by Planning Committee

The application had been referred to Planning Committee as the application is submitted concurrently with Application 22/00049/FUL which constitutes a major development.

Report/Background/Late Papers

The report set out the background to the proposal, the site and surrounding area, the proposal itself, relevant policies, planning history and representation and consultations where applicable.

There were no late papers circulated.

Officer Presentation

The information was presented as set out by the Corporate Director – Planning and Governance, in conjunction with a powerpoint presentation for the item.

Public Representations

There had been no one registered to speak on the application.

Key Points of Debate

See previous item – Application 22/00049/FUL.

A proposal to approve the application had been made and this was seconded. There being no further points made the Chair requested the voting of each Member of the Committee who were eligible to vote. Following the recording of the votes the proposal to approve was agreed as follows:

For – 8
Against – 1
Abstentions – 0

Councillor Amos asked for his vote against the proposal to be recorded in the minutes.

RESOLVED: That the Committee grant Listed Building consent, subject to the conditions set out in section 9 of the report and the grant of a satisfactory planning permission.

29 Heritage at Risk in Worcester: Update and Review

The Committee considered the Heritage at Risk in Worcester update and review report. The Register for 2022 was attached as Appendix 1 to the report.

An updated Heritage at Risk Register was approved for publication by Planning Committee in June 2021 and since that time officers have monitored progress and reviewed other assets for potential inclusion in the Register. No assets have been removed from the register and two have been added from another register.

The Planning and Conservation Officer presented the report, in conjunction with a powerpoint presentation and responded to questions from Members. In particular questions/updates regarding HaR reference 14 – 3 Trotsthill Lane East, HaR reference 21 – Block J Gilding House, RWP Works and HaR reference No. 18 – 79-83 St Johns. The Planning and Conservation Officer agreed to follow these up and report back to the relevant Members.

Committee Members were informed that independently from the City Council, SAVE Britain's Heritage produces its own register of Heritage at Risk in the City. Seven of the nine buildings included in this register are already in the City Council's version but for completeness the additional two have been added, namely 13 The Tything (HaR 16) and St Cuthbert's Chapel (HaR 17).

It is proposed to continue to monitor all entries on the Heritage at Risk Register quarterly, update actions, and update the register on a yearly basis.

RESOLVED: That the Committee note the contents of the 2022 Heritage at Risk Register and approve it for publication.

30 Any Other Business

None.

Duration of the meeting: 1.30p.m. to 4.20p.m.

Chair at the meeting on
25th August 2022